

**PRICE ONE CENT**

NO FIFTH INSPECTOR NOW

**THE COURT OF APPEALS DECIDES AGAINST  
THE UNITED LABOR PARTY**

**No Mandamus to Compel the Appointment of Election Officers from Among Henry George's Followers—Permission Granted to Sue, but the Matter Settled so Far as This Year's Election is Concerned.**

[SPECIAL TO THE EVENING WORLD.]

ALBANY, Oct. 25.—The Court of Appeals has affirmed the proceedings of the Police Commissioners in refusing to appoint the fifth Inspector of Election. The decision was given in the suit brought by John McManis and other representatives of the United

United Labor party. The court gives the plaintiff in the mandamus proceedings against the

for the trial of the issues forthwith before one of the Justices thereof in such other way as the parties may agree upon and the court

John J. O'Brien when told of the decision of the Court of Appeals, said: "Well, that settles it as far as the present election is concerned. The merits of the case may be passed upon in the sweet bye and by."

The Commissioners expressed no surprise Mr. McClave saying: "It is rough on the Labor party, but it settles their fate as far as

the present election canvass is concerned."

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ATTACKING THE ANTI-CHROMO. LAW.

**Ten Men Claim the Act Forbidding Gift  
With Articles of Food Illegal.**

ALBANY, Oct. 25.—The Atlantic and Pacific and the Pacific Tea Companies, which have about one hundred retail stores throughout

the constitutionality of the act passed by the last Legislature, which prohibits the giving away of prizes.

Recorder Gould affirmed the constitutionality of the law and the case will be made up before the General Terms so that an appeal

It is claimed that the act abridges the privileges and immunities of citizens, deprives

process of law, and denies the equal protection of the laws to all citizens. It is unconstitutional also in that it transgresses the common law rights of citizens interferes with free

**Wants to Increase the Police Navy.**

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[SPECIAL TO THE EVENING WORLD.]

ALBANY, Oct. 25.—The Court of Appeals has affirmed the proceedings of the Police Commissioners in refusing to appoint the

was given in the suit brought by John Mackin and other representatives of the United Labor party. The court gives the plaintiff in the mandamus proceedings against the

for the trial of the issues forthwith before one of the Justices thereof in such other way as the parties may agree upon and the court shall approve of.

The Commissioners expressed no surprise at Mr. McClave saying: "It is rough on the

ATTACKING THE ANTI-CHROMO LAW.

(SPECIAL TO THE EVENING WORLD.)

ALBANY, Oct. 25.—The Atlantic and Pacific and the Pacific Tea Companies, which have about one hundred retail stores throughout

the constitutionality of the act passed by the last Legislature, which prohibits the giving away of prizes, premiums and chromes with articles of food.

It is claimed that the act abridges the privileges and immunities of citizens, deprives

process of law, and denies the equal protection of the laws to all citizens. It is unconstitutional also in that it transgresses the common law rights of citizens, interferes with freedom of trade and is oppressive and unfair discriminating.

**Wants to Increase the Police Navy.**  
The Police Commissioners met this morning to consider provisional estimates of the department for next year. Mr. Voorhis advocated an appropriation for two iron steam launches for harbor patrol.

boat, 150 feet long, with twin screws and a speed of nineteen miles an hour. The idea is to have a boat that can go one hundred miles to sea. Capt. Smith favors the proposition on the ground that it costs so much to repair and keep in order the Patrol that in a few years

**Stabbed in the Eye.**  
James F. Maynes, a beer bottler, of 417 West Chestnut street, was stabbed this morning at 10:30 a. m. in the right eye by a man who fled.

the right eye and a severe cut on the wrist. His assailant was Stephen Devaney, a driver, seventeen years old, of 722 Gansevoort street. Trouble had been brewing between them for some time. On Sunday night they happened to meet in West Sixteenth street. One spoke of the other, while

which Devaney drew a large pocket knife from his pocket and stabbed Maynes. Justice Ford committed Devaney to the Tombs to await trial in default of \$2,500 bail.

drunk on the night of Oct. 20 he fell asleep in the hallway of the Yorktown Lodging-House, at Thompson street. When he awoke the following morning he found himself minus a coat, an overcoat and a pair of shoes. He learned through a

Katie Daly, twenty-four years old, a vagrant, has stolen the property, and had given it to Thomas M. Hale to pawn. Katie Daly and Hale were arrested last night. Justice Ford at Jefferson Market to-day held them each in \$300 bail.

Ellen Trainor, the woman who attempted to drown herself at the foot of Forty-fifth street, North River, and was taken to Roosevelt Hospital, was transferred to Bellevue at about midnight. She died an hour later.

**Funeral of Judge Clayton A. Black.**  
[SPECIAL TO THE EVENING WORLD.]  
BORDENTOWN, N. J., Oct. 25.—The funeral of

near this city on Saturday, took place this morning. The burial was in the Mansfield Meeting House graveyard. A large number of mourners including relatives, friends and members of the Burlington County Bar, attended the funeral.

[SPECIAL TO THE EVENING WORLD.]

ST. PAUL, Oct. 25.—It was bitter cold here a day yesterday. Last night the mercury stood 20 degrees above zero.

BILLINGS, Mon., Oct. 25.—Fifteen degrees below zero is reported here, and at Aberdeen, Dak.

**Scraps of City News.**

In the Jefferson Market Court this morning John Walker, thirty-four years old, of 481 Canal street was committed to the Tombs for trial. He admitted to steal a barrel of flour last night from

William Mullen, twelve years old, is lying at his home, 480 West Seventeenth street, suffering from a blow that he received at the hands of Arthur Woods, thirty years of age, of 109 Ninth avenue. Woods struck the boy about the body with a log of


John Dale, of 96 Washington street, was ordered to hold up his hands while he was robbed of \$1.35 by Charles Maho, a negro desperado, in Tynan's liquor-saloon, corner of Thompson and Broom streets, this morning. Maho was arrested.


Thompson, of 27 1/2 Sullivan street. Justice Ford at Jefferson Market Court, held the prisoner for trial.

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**Colder Weather Coming Soon.**

WASHINGTON, Oct. 3.

**C**  —Indications for the twenty-four hours, commencing at 3 P. M. to day: For Connections are

D  colder, fair weather,  
light to fresh north  
westerly winds.